



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,795	10/23/2003	Daniel De Sousa	01-694-2	7154
34704 7590 03/25/2008 BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510				
EXAMINER				
EL CHANTIL, HUSSEIN A				
ART UNIT		PAPER NUMBER		
2157				
MAIL DATE		DELIVERY MODE		
03/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,795

Applicant(s)

DE SOUSA ET AL.

Examiner

HUSSEIN A. EL CHANTI

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to amendment received Dec. 17, 2007. Claims 3 and 9 were canceled. Claims 13 and 14 were newly added. Claims 1 and 7 were amended. Claims 1, 2, 4-8 and 10-13 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 4-5, 7 and 10-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Sheard et al., U.S. patent No. 6,453,356 (referred to hereafter as Sheard).

As to claim 1, Sheard teaches a system for communicating remote sources and users of real time data, comprising:

an installation-local unit (system s1) comprising at least one receiver (adapter 34A of fig. 1) communicated with an installation (application #1 of fig. 1) for receiving real time data from said installation and, a formatting unit (adapter 34a) for formatting said real time data into a suitable communication protocol so as to provide universal data (see col. 4 lines 44-57, col. 9 lines 58-col. 10 lines 2 and col. 5 lines 42-65, adapter 341 receives data from application #1 formatted in a first protocol and translates the data into a generic format);

an additional unit (system 2, 3...n) spaced from said installation-local unit and communicated with said installation-local unit for receiving said universal data, and further comprising an additional formatting unit (adapter 34B-D of fig. 1) for translating said universal data into a different application protocol so as to provide user-application compatible data (see col. 5 lines 56-col. 6 lines 17 and fig. 1, adapter 34B receives data and reformulate the received data into a format suitable for application #2); and

a user-application of said real time data adapted to receive said user-application compatible data (see col. 5 lines 56-col. 6 lines 17, application #2 receives the reformulated data), wherein said additional units comprises at least two additional units having user-applications of said real time data which require said real time data in at least two different formats (see fig. 2, col. 6 lines 35-, each system may comprise a plurality of application where each application may generate and receive data in a different format).

As to claim 4, Sheard teaches the system of claim 1, wherein said installation-local unit further comprises a user of additional data from said additional unit, and wherein said additional formatting unit translates said additional data into said compatible communication protocol, and said formatting unit translates said suitable communication protocol suitable format for said user of additional data (see fig. 1, col. 5 lines 42-57 and col. 8 lines 65-col. 9 lines 12 and col. 9 lines 57-col. 10 lines 2).

As to claim 5, Sheard teaches the system of claim 1, wherein said real time data is in a different format from said user-application compatible data (see col. 5 lines 42-

57, the format and protocol at the source is different than the data format at the destination).

As to claim 7, Sheard teaches a method for communicating remote sources and users of real time data, comprising the steps of:

providing an installation-local unit (system s1) comprising at least one receiver (adapter 34a) communicated with an installation (application 1) for receiving real time data from said installation and, a formatting unit (adapter 34a) for formatting said real time data into a suitable communication protocol so as to provide universal data (see col. 4 lines 44-57, col. 9 lines 58-col. 10 lines 2 and col. 5 lines 42-65, adapter 341 receives data from application #1 formatted in a first protocol and translates the data into a generic format);

providing an additional unit (system 2,3...n) spaced from said installation-local unit and communicated with said installation-local unit for receiving said universal data, and further comprising an additional formatting unit for translating said universal data into a different application protocol so as to provide user-application compatible data (see col. 5 lines 56-col. 6 lines 17 and fig. 1, adapter 34B receives data and reformulate the received data into a format suitable for application #2);

transmitting said universal data from said installation-local unit to said additional unit (see col. 5 lines 66-col. 6 lines 17, data in generic format is transmitted to app #2);

translating said universal data into said user-application compatible data at said additional unit (see col. 5 lines 66-col. 6 lines 17, adapter 34b translates the data into a compatible format with app #2); and

providing said user-application compatible data to a user-application (see col. 5 lines 66-col. 6 lines 16), wherein said installation local unit comprises a plurality of installation local unit at least two of which generate said real time data in difficult formats, and wherein said additional unit comprises at least two additional unit having user-application of said real time data which require said real time data in at least two different formats (see fig. 2, col. 6 lines 35-, each system may comprise a plurality of application where each application may generate and receive data in a different format).

As to claim 10, Sheard teaches the method of claim 7, wherein said installation-local unit further comprises a user of additional data from said additional unit, and wherein said additional formatting unit translates said additional data into said compatible communication protocol, and said formatting unit translate said suitable communication protocol suitable format for said user of additional data (see fig. 1, col. 5 lines 42-57 and col. 8 lines 65-col. 9 lines 12 and col. 9 lines 57-col. 10 lines 2).

As to claim 11, Sheard teaches the method of claim 7, wherein said real time data is in a different format from said user-application compatible data (see col. 5 lines 42-57, the format and protocol at the source is different than the data format at the destination).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 6, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheard in view of Gollnick et al., U.S. patent No. 7,206,592 (referred to hereafter as Gollnick).

Sheard teaches a system and method for transmitting data between two devices that process the data in different formats. The system and method have adapters that translate the transmitted data from a first format to a generic format and then to a format compatible with the second device.

Sheard does not explicitly teach that the additional unit i.e. the second device or system (2...n) is wireless and wherein said additional unit communicate with installation local unit i.e. first device or system 1 by spread spectrum high speed radio link.

However, Gollnick teaches a system and method for transmitting data between devices using spread spectrum high speed radio link (see col. 2 lines 19-39).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to install the wireless transceivers taught by Gollnick with the system (1...n) of Sheard. Motivation to do so comes from the knowledge well known in the art that installing wireless transceivers in Sheards system would increase the flexibility, productivity and time saving because of the "anytime, anywhere" aspect of wireless

communications allows increased access to accurate information when it is needed most from any geographic location. Also Motivation to using spread spectrum high speed radio link comes from the knowledge well known in the art that using spread-spectrum radio transmissions are far less susceptible to interference including other RF signals and noise and would therefore provide an error free wireless system.

4. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheard in view of Hill et al., U.S. Patent No. 6,937,159 (referred to hereafter as Hill).

Sheard teaches a system for communicating remote sources and users of real time data, comprising installation-local units and additional units (see abstract). Sheard does not explicitly teach that the installation local units are installed in an oil field.

However Hill teaches a system and method for acquiring data in an oil field using locally installed computers (see col. 5 lines 33-43). It would have been obvious for one of the ordinary skill in the art at the time of the invention to install the units of Sheard on an oil field as taught by Hill because doing so would allow the transfer of important data to distant computers for more thorough analysis that local units are not capable of and therefore saving time and money.

Response to Arguments

5. Applicant's arguments have been fully considered but they are not persuasive. Applicant argues in substance that Sheard does not disclose said installation local unit comprises a plurality of installation local unit at least two of which generate said real time data in difficult formats, and wherein said additional unit comprises at least two

additional unit having user-application of said real time data which require said real time data in at least two different formats.

In response, Sheard teaches a system and method for exchanging information between a plurality of systems in different formats (see abstract). Sheard teaches a method for communicating remote sources and users of real time data, comprising the steps of: providing an installation-local unit (system s1) comprising at least one receiver (adapter 34a) communicated with an installation (application 1) for receiving real time data from said installation and, a formatting unit (adapter 34a) for formatting said real time data into a suitable communication protocol so as to provide universal data (see col. 4 lines 44-57, col. 9 lines 58-col. 10 lines 2 and col. 5 lines 42-65, adapter 341 receives data from application #1 formatted in a first protocol and translates the data into a generic format). Sheard also teaches in fig. 2 and 6 that system s1 may comprise a plurality of applications (APP1a-APPNa) where each of the applications include an adapter (A-N), wherein each application generates and receives data in a different format. Therefore the adapters and the applications of system 1 meet the scope of the claimed limitations "disclose said installation local unit comprises a plurality of installation local unit at least two of which generate said real time data in difficult formats, and wherein said additional unit comprises at least two additional unit having user-application of said real time data which require said real time data in at least two different formats".

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

March 20, 2008

/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157